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| APPLICATION NO.                                                  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 09/749,594                                                       | 12/28/2000  | Steven Rhodes        | 7000-413            | 4824             |
| 27820                                                            | 7590        | 07/29/2005           |                     | EXAMINER         |
| WITHROW & TERRANOVA, P.L.L.C.<br>P.O. BOX 1287<br>CARY, NC 27512 |             |                      | JUNG, MIN           |                  |
|                                                                  |             |                      | ART UNIT            | PAPER NUMBER     |
|                                                                  |             |                      | 2663                |                  |

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                          |                        |                     |  |
|--------------------------|------------------------|---------------------|--|
| <b>Interview Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                          | 09/749,594             | RHODES, STEVEN      |  |
|                          | Examiner<br>Min Jung   | Art Unit<br>2663    |  |

All participants (applicant, applicant's representative, PTO personnel):

- (1) Min Jung. (3) \_\_\_\_\_  
 (2) Taylor Davenport. (4) \_\_\_\_\_

Date of Interview: 27 July 2005.

Type: a) Telephonic b) Video Conference  
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
 If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: \_\_\_\_\_.

Identification of prior art discussed: Goldberg et al., US 6,389,038, and Molitor, US 6,661,799.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



MIN JUNG  
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an attachment to a signed Office action.

\_\_\_\_\_  
 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Davenport inquired if claiming the switch to emphasize the fact that the shuffling unit and the switching unit are co-located would distinguish claim 1 (for example) over Goldberg patent. That change to the claim would probably overcome the rejection over Goldberg on 102 ground. Another search session would be required. Mr. Davenport also commented that the rejection under 103 should be supported by evidence, and believes that the conferencing and broadcasting being well known in the art does not provide enough evidence to support grounds of rejection. Examiner's position is that the Internet taught in Goldberg is an evidence that well known broadcasting and conferencing can be supported.